

**TWENTY-NINTH LEGISLATIVE DAY
MONDAY, FEBRUARY 5, 2007**

House of Representatives

The House convened at 11:15 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused -- McGeachin. Total -- 1.

Total -- 70.

Prayer was offered by Representative Jaquet.

The Pledge of Allegiance was led by Aras Holden, Page.

Approval of Journal

February 5, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-sixth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

February 2, 2007

Mr. Speaker:

I transmit herewith **S 1018** which has passed the Senate.

WOOD, Secretary

S 1018 was filed for first reading.

February 2, 2007

Mr. Speaker:

I return herewith **HCR 2** and **HCR 3** which have passed the Senate.

WOOD, Secretary

HCR 2 and **HCR 3** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 5, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 96**, **H 97**, **H 98**, **H 99**, **H 100**, **H 101**, and **H 102**.

CLARK, Chairman

H 96, **H 97**, **H 98**, **H 99**, **H 100**, and **H 102** were referred to the Business Committee.

H 101 was held at the Desk.

H 67, held at the desk, January 31, 2007, was referred to the Revenue and Taxation Committee.

February 5, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 29**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 29**, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 2, 2007

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 79** and recommend that it do pass.

LAKE, Chairman

H 79 was filed for second reading.

February 2, 2007

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 14**, **H 54**, and **H 66** and recommend that they do pass.

WOOD(35), Chairman

H 14, **H 54**, and **H 66** were filed for second reading.

February 5, 2007

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1021** and recommend that it do pass.

LOERTSCHER, Chairman

S 1021 was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 103
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO FUNDS OF STATE BOARD OF LAND COMMISSIONERS; AMENDING SECTION 67-1202, IDAHO CODE, TO DELETE THE AUTHORITY AND DUTY OF THE STATE TREASURER TO PURCHASE WARRANTS FOR THE STATE BOARD OF LAND COMMISSIONERS AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 104
BY STATE AFFAIRS COMMITTEE
 AN ACT

RELATING TO REFUNDING AND REPLACEMENT BONDS; REPEALING CHAPTER 37, TITLE 67, IDAHO CODE, RELATING TO STATE REFUNDING BONDS; AND REPEALING CHAPTER 38, TITLE 67, IDAHO CODE, RELATING TO REPLACEMENT BONDS.

HOUSE BILL NO. 105
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
 AN ACT

RELATING TO THE STATE PERSONNEL SYSTEM; AMENDING SECTION 67-5333, IDAHO CODE, TO REMOVE THE LIMIT ON UNUSED SICK LEAVE WHICH IS TRANSFERRED TO AN EMPLOYEE'S RETIREMENT ACCOUNT UPON SEPARATION FROM STATE EMPLOYMENT BY RETIREMENT; AND TO PROVIDE AN EFFECTIVE DATE.

H 103, **H 104**, and **H 105** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1018, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

Mr. Stevenson asked unanimous consent that **H 65** be returned to the Resources and Conservation Committee. There being no objection, it was so ordered.

Mr. Lake asked unanimous consent that **H 7** be placed on General Orders for consideration. There being no objection, it was so ordered.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 93, by Appropriations Committee, was read the second time by title and filed for third reading.

H 62 and **H 64**, by Judiciary, Rules, and Administration Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

S 1034 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1034** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Bedke, McGeachin. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1034** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1035 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Henderson to open debate.

The question being, "Shall **S 1035** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- McGeachin. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1035** passed the House. Title was approved and the bill was ordered returned to the Senate.

HCR 8 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Trail to open debate.

The question being, "Shall **HCR 8** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon,

Chavez, Chew, Clark, Collins, Crane, Edmunson, Eskridge, Hagedorn, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, Moyle, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Mr. Speaker. Total -- 59.

NAYS -- Barrett, Bayer, Hart, Harwood, Mortimer, Nielsen, Nonini, Shepherd(8), Wood(35). Total -- 9.

Absent and excused -- Durst, McGeachin. Total -- 2.
Total -- 70.

Whereupon the Speaker declared **HCR 8** adopted and ordered the resolution transmitted to the Senate.

H 71 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Wood(35) to open debate.

The question being, "Shall **H 71** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Durst, McGeachin. Total -- 2.
Total -- 70.

Whereupon the Speaker declared **H 71** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 77 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

The question being, "Shall **H 77** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, Mortimer, Moyle,

Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Durst, McGeachin. Total -- 2.
Total -- 70.

Whereupon the Speaker declared **H 77** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1006 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wills to open debate.

The question being, "Shall **S 1006** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Edmunson, McGeachin. Total -- 2.
Total -- 70.

Whereupon the Speaker declared **S 1006** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Moyle asked unanimous consent that **S 1007** retain its place on the Third Reading Calendar one legislative day. There being no objection, it was so ordered.

S 1008 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Luker to open debate.

The question being, "Shall **S 1008** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Luker,

Marriott, Mathews, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 67.

NAYS -- Loertscher. Total -- 1.

Absent and excused -- Edmunson, McGeachin. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **S 1008** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1009 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Shirley to open debate.

The question being, "Shall **S 1009** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- McGeachin. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1009** passed the House. Title was approved and the bill was ordered returned to the Senate.

H 68 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Smith(24) to open debate.

The question being, "Shall **H 68** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Luker, Mathews, Moyle, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Ruchti, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Smith(24), Snodgrass,

Stevenson, Trail, Vander Woude, Wills, Wood(27). Total -- 59.

NAYS -- Harwood, Loertscher, Marriott, Mortimer, Nielsen, Roberts, Rusche, Thayn, Wood(35), Mr. Speaker. Total -- 10.

Absent and excused -- McGeachin. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 68** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11:15 a.m., Tuesday, February 6, 2007. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:05 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

PAMM JUKER, Chief Clerk